

REMARKS:

The above amendments and following remarks are responsive to the points raised in the January 1, 2005 final Office Action. Upon entry of the above amendments, Claims 1 and 7-9 will have been amended, Claim 6 will have been canceled, and Claims 1-5 and 7-14 will be pending. No new matter has been introduced. Entry and reconsideration are respectfully requested.

Information Disclosure Statements of December 2, 2002 and August 26, 2004

On December 2, 2002, Applicant filed an Information Disclosure Statement (IDS) citing Taiwanese publication TW 380251, published October 23, 1998, and its English language counterpart US Patent 6,137,102, issued October 24, 2000. A copy of the December 2, 2002 IDS and date stamped post card receipt was filed with Applicant's Amendment filed June 6, 2004. Applicant also filed a second IDS on August 26, 2004, which cited the Japanese patent documents of (1) JP 5-56214 (March 5, 1993), JP 200-124623 (April 28, 2000), JP 10-93747 (April 10, 1998), JP 11-92672 (April 6, 1999), JP 10-329185 (December 15, 1998), and JP 11-77696 (March 23, 1999).

Since (1) the April 8, 2004 non-final Office Action did not include an initialed, dated, and signed copy of the Form PTO-1449 Information Disclosure Citation (Form PTO-1449) submitted with the December 2, 2002 IDS, and (2) the January 25, 2005 final Office Action did not include initialed, dated, and signed copies of either of the Form PTO-1449s submitted with the December 2, 2002 IDS and the August 26, 2004 IDS, Applicant believes that each IDS has not been considered by the Examiner. A review of the Image File Wrapper available through private PAIR via the United States Patent and Trademark Office Internet web

site, shows that each of the above-identified IDSs have been received by the USPTO and placed of record in the application file.

In view of the above, Applicant requests that the Examiner consider the cited prior art and return a copy of the initialed, dated, and signed Form-1449 to Applicant with the next Office Action.

Response to Rejection under 35 U.S.C. § 112, First Paragraph

Claims 1-14 have been rejected under 35 U.S.C. § 112, First Paragraph, “failing to comply with the enablement requirement.” The claims have been amended to overcome this rejection. Accordingly, the rejection under 35 U.S.C. § 112, First Paragraph, should be withdrawn.

Response to Rejection under 35 U.S.C. § 102(b)

Claims 1-5, 10, 11, and 14 have been rejected under 35 U.S.C. § 102(b) as being anticipated by US Patent 5,489,992 to Endo. Applicant traverses this rejection.

As discussed below, the Examiner has indicated the allowability of the subject matter introduced in original dependent Claims 6-9. The Examiner urges that Claims 6-9 would be allowable if rewritten in independent form and including all of the limitations of the base claim and any intervening claim. In the interest of expediting the prosecution of the present application, Applicant has amended independent Claim 1 to include the limitations introduced in objected to original dependent Claim 6. On this basis, amended Claim 1 is distinguished over the applied prior art of Endo. Rejected dependent Claims 2-5, 10, 11, and 14 are likewise distinguished over Endo for at least the same reasons as amended Claim 1. Furthermore, Claims

12 and 13, which likewise depend upon amendment Claim 1 are also distinguished over Endo for the same reasons as Claim 1. Accordingly, the rejection under 35 U.S.C. § 102(b) should be withdrawn.

Response to Rejection under 35 U.S.C. § 103(a)

Claim 12 and 13 has been rejected under 35 U.S.C. § 103(a) as being obvious over Endo in view of US Patent 5,796,928 to Toyomura et al. (Toyomura). Applicant traverses this rejection.

For at least the same reasons as discussed above with respect to Claims 1 and 10, dependent Claims 12 and 13 are distinguished over Endo and Toyomura, either alone or in combination. Nonetheless, Applicant respectfully submits that neither Endo nor Toyomura include any teaching or suggestion that would motivate one of ordinary skill in the art to modify the teaching of Endo to arrive at the invention as recited in dependent Claims 12 and 13 as presented by the Examiner. Accordingly, the rejection under 35 U.S.C. § 103(a) should be withdrawn.

Allowable Subject Matter

Claims 6-9 have been objected to by the Examiner as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant concurs with the Examiner's finding.

As discussed above, Claim 1 has been amended to include all of the limitations of objected to original dependent Claim 6.

CONCLUSION

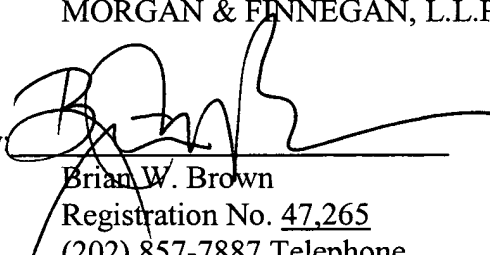
Applicant respectfully submits that Claims 1-5 and 7-14 are in condition for allowance and a notice to that effect is earnestly solicited.

AUTHORIZATION

The Commissioner is hereby authorized to charge any fees which may be required for filing this Amendment and Request for Reconsideration to Deposit Account No. 13-4500, Order No. 1232-4718.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: March 22, 2005

By 
Brian W. Brown
Registration No. 47,265
(202) 857-7887 Telephone
(202) 857-7929 Facsimile

Correspondence Address:
MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, New York 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile